

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE DIVISION

BRANDON KIBODEAUX

CIVIL ACTION NO. 12-CV-706

VERSUS

JUDGE DOHERTY

MARINE PARTNERS, LLC, ET AL

MAGISTRATE JUDGE HILL

MEMORANDUM RULING AND ORDER

In the recent telephone status conference on November 7, 2012, wherein the undersigned was asked to resolve disputes among the parties during a deposition of a non-party witness, the deposition was suspended to allow the court to review the transcript of the deposition so as to rule on the issues presented. [Rec. Doc. 20] The undersigned now having reviewed the transcript of the deposition, issues the following Orders for completion of the deposition consistent with provisions of Rule 30(d)(3):

IT IS ORDERED that the deposition of Chrystal Corbello may resume for a period not to exceed two additional hours. Since the deponent is not a party to this litigation, and she is not represented by any counsel in this litigation, she has no attorney/client privilege as to any questions asked of her in the deposition regarding conversations with counsel for the parties and she cannot be instructed by the participating attorneys not to answer the questions asked of her on that basis. The

witness can be instructed not to answer only in order to present a motion under Rule 30(d)(3) or to enforce a limitation ordered by the court.

IT IS FURTHER ORDERED that, notwithstanding the provisions of Rule 30(c)(2), the deposition shall resume, with the parties **reserving** all objections except those based on form of the question and/or responsiveness of the answer with a concise, nonargumentative basis for the two objections and counsel are specifically ordered to refrain from any form of speaking objections;

IT IS FURTHER ORDERED that the personal rancor between counsel **shall** cease and that the discourse among counsel and the witness shall be conducted on a professional level. Should any further conflict arise during the completion of the deposition, such conflict should be presented to Magistrate Judge Hill for resolution.

IT IS FINALLY ORDERED that the Clerk shall provide a copy of this Order to Judge Hill.

Lafayette, Louisiana, this 14th day of November, 2012.



PATRICK J. HANNA
UNITED STATES MAGISTRATE JUDGE